



PDC NEWS

711 Capitol Way, Room 206
Olympia Washington

Public Disclosure Commission

Earl Tilly, Chair
Mike Connelly, Vice Chair
Francis Martin, Secretary

February 24, 2004

Volume 4 Issue No 1

Advisory Matters

The Commission formally adopted PDC Interpretation 04-01 which documents the Commission's interpretation of RCW 42.17.640(1) in the event that there is no primary election for a candidate for state office and provides guidance regarding actions an affected candidate is required to take concerning contributions received in anticipation of both a primary and general election.

Rule Making

The Commission adopted an emergency rule amendment to **WAC 390-37-041 Enforcement procedures -- Allegations submitted to the attorney general's office and/or prosecuting attorneys**. The rule was adopted during a recent review of all enforcement rules. The emergency rule amendment removes reference to tolling in the cases where a citizen action letter is received.

The Commission also agreed to move forward with rule making activity on a number of proposed rule amendments and two new rules.

- Amend **WAC 390-17-030 Sample ballots and slate cards**.
- Amend **WAC 390-37-030 Enforcement procedures—Status of citizen complainant and others**.
- Amend **WAC 390-37-041 Enforcement procedures -- Allegations submitted to the attorney general's office and/or prosecuting attorneys**.
- Amend **WAC 390-18-030 Political advertising -- Exemptions from identification**.
- Amend **WAC 390-16-207 In-kind contributions—Explanation and reporting**.
- Amend **WAC 390-16-238 Personal use of contributions -- Standard**.
- New **WAC 390-05-295 Definition—Promise or promise to pay**.
- New **WAC 390-05-238 Public Opinion Polls—Valuation**.

A stakeholder meeting will be scheduled for March with a discussion of proposed language and possible adoption expected to occur at the Commission's May meeting.

Electronic Filing Exemptions

The Commission approved a one-time exemption from mandatory electronic filing for **Val Barschaw**, treasurer for Friends for Dan Kristiansen and **Cindy Ryu**, candidate for Shoreline City Council. Both campaigns requested an exemption for one disclosure report.

Reporting Modifications

The Commission suspended the requirement of reporting the business and governmental customers of Weyerhaeuser Company, Weyerhaeuser Real Estate Company and the related entities of those companies when filing a statement of personal financial affairs by **Claire S. Grace**, a member of the Washington State Housing Finance Commission, of which she is a corporate officer.

The Commission renewed with no changes modifications for the following:

- **Gordon Budke**, Trustee at Eastern Washington University.
- **Orlan Gessford**, Director of the Washougal School District #112-6
- **Dan O'Neal**, member of the Washington State Transportation Commission
- **Jack Pittis**, Council member of the City of Port Angeles

Enforcement Matters

In lieu of a full enforcement hearing, the Commission accepted a stipulated agreement with the **Washington Independent Bankers PAC** (WIB PAC) finding multiple violations for failing to timely file reports of contributions received and summary reports of contributions and expenditures during a period from August 2000 thru November 2003. The stipulation included a \$3,500 civil penalty with \$1,000 suspended if there are no violations for two years by WIB PAC.

The Commission decided to hear the enforcement case against **Pat Mooney**, candidate for Anacortes Port Commissioner, who allegedly violated state law by exceeding the mini reporting threshold and by failing to timely report contributions and expenditures. They also reinstated a \$500 suspended penalty against **Al Kiefer**, candidate for Fire Commissioner in Whatcom County FPD # 10, who was found in violation of disclosure laws at a December 10, 2003 enforcement hearing.

Requests for Review/Reconsideration

The Commission vacated the violation and penalty against **James P. Robinson**, candidate for City Council in the City of Redmond, who was found to have violated the disclosure law on December 15, 2003 and was assessed a penalty of \$200. They let stand findings of violation and civil penalties against **Benjamin Medina**, lobbyist for the Associated Students of the University of Washington, **Kate Monahan**, lobbyist for Sherry Appleton and **Donald Hansey**, candidate for City Council in the City of Bellingham.

The Commission meeting materials may be found at www.pdc.wa.gov under **Commission Meetings** at **Meeting Agendas and Materials**. For additional information concerning these issues contact Doug Ellis, Director of Public Outreach, at (360) 664-2735, toll free 1-877-601-2828 or e-mail at dellis@pdc.wa.gov.